

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

In re: Equifax Inc. Customer  
Data Security Breach Litigation

MDL Docket No. 2800  
No. 1:17-md-2800-TWT

CONSUMER ACTIONS

Chief Judge Thomas W. Thrash, Jr.

**PLAINTIFFS' RESPONSE IN OPPOSITION TO OBJECTOR  
CHRISTOPHER ANDREWS' MOTION TO STRIKE**

Objector Christopher Andrews has asked this Court to approve the pursuit of his appeal at taxpayer expense. Now that Class Counsel have opposed that motion, Mr. Andrews has asked that their opposition be stricken (Doc. 1016) because they filed an amended certificate of service, noting that—in addition to serving “all counsel of record” on February 24, 2020 (Doc. 998 at 24), Class Counsel sent a copy to Mr. Andrews via U.S. Mail on February 26, 2020 (Doc. 1001). The motion is procedurally improper because Plaintiffs’ opposition is not a pleading. *See, e.g., Polite v. Dougherty County School System*, 314 Fed. App’x 180, 184 n. 7 (11th Cir. 2008) (“motions to strike are only appropriately addressed to matters contained in the pleadings”); *First Citizens Bank & Trust Co. v. Whitaker*, 2018 WL 6362626, \*1 (N.D. Ga. Aug. 22, 2018) (“It is the Court’s practice to only

strike pleadings” as defined in Fed. R. Civ. 7); Order, *In re Equifax, Inc. Customer Data Security Breach Litig.* (N.D. Ga. entered Dec. 31, 2019) (Doc. 951) (denying motion to strike a declaration because it is not a pleading). Regardless, there is no need to strike the opposition. Mr. Andrews received the opposition, filed a timely reply, and thus has suffered no prejudice.<sup>1</sup> Class Counsel thus respectfully request that the Court deny Mr. Andrews’s latest frivolous motion.

Dated: March 9, 2020

Respectfully submitted,

/s/ Kenneth S. Canfield

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<sup>1</sup> Mr. Andrews subsequently filed a Corrected Application to Appeal *In Forma Pauperis* on February 28, 2020, with additional attachments added on March 2, 2020, under seal. (Doc. 1015)

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**CERTIFICATE OF COMPLIANCE**

I hereby certify that this document has been prepared in compliance with  
Local Rules 5.1 and 7.1.

/s/ Amy E. Keller

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was filed with this Court via its CM/ECF service, which will send notification of such filing to all counsel of record this 9<sup>th</sup> day of March 2020.

I also certify that a copy of the foregoing was sent to Objector Christopher Andrews via U.S. Mail to: P.O. Box 530394, Livonia, Michigan 48153-0934, this 9<sup>th</sup> day of March 2020.

/s/ Amy E. Keller